

INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE  
OF VIRGINIA SECTION 45.1-361.26

V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: CNX GAS COMPANY LLC ) VIRGINIA GAS  
 ) AND OIL BOARD  
RELIEF SOUGHT: RE-POOLING OF INTERESTS IN )  
DRILLING UNIT NO. BC-120 LOCATED ) DOCKET NO.  
IN THE MIDDLE RIDGE I COALBED ) 03-0218-1115-01  
METHANE GAS FIELD PURSUANT TO VA. )  
CODE §§ 45.1-361.21 AND 45.1-361.22, )  
FOR THE PRODUCTION OF OCCLUDED )  
NATURAL GAS PRODUCED FROM COALBEDS )  
AND ROCK STRATA ASSOCIATED THEREWITH )  
(herein collectively referred to as )  
"Coalbed Methane Gas" or "Gas") )  
 )  
LEGAL DESCRIPTION: )  
 )  
DRILLING UNIT NUMBER BC-120 )  
(herein "Subject Drilling Unit") IN THE )  
MIDDLE RIDGE I COALBED METHANE GAS FIELD )  
NEW GARDEN MAGISTERIAL DISTRICT )  
HONAKER QUADRANGLE )  
RUSSELL COUNTY, VIRGINIA )  
(the "Subject Lands" are more )  
particularly described on Exhibit )  
"A", attached hereto and made a )  
part hereof) )

REPORT OF THE BOARD

FINDINGS AND ORDER

1. Hearing Date and Place: This matter was continued at the October 25, 2011 hearing and came for final hearing before the Virginia Gas and Oil board (hereafter "Board") at 9:00 a.m. on November 15, 2011 at the at the Russell County Conference Center, Lebanon, Virginia.

2. Appearances: Mark Swartz, Esquire, of the firm Swartz Law Offices PLLC, appeared for the Applicant; and Sharon M. B. Pigeon, Assistant Attorney General, was present to advise the Board.

3. Jurisdiction and Notice: Pursuant to Va. Code §§ 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a search of the reasonably available sources to determine the identity and whereabouts of gas and oil owners, coal owners, mineral owners and/or potential owners, i.e., persons identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all coal seams below the Jawbone 1, including Tiller, Upper Horsepen, Middle Horsepen, War Creek, Beckley, Lower Horsepen, Pocahontas No. 8, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 1 and various unnamed coal seams, coalbeds and rock strata associated therewith (hereafter "Subject Formation") in Subject Drilling Unit underlying and

comprised of Subject Lands; (2) represented it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code §§ 45.1-361.19 and 45.1-361.22, to notice of the Application filed herein; and (3) that the persons set forth in their Application and Notice of Hearing are persons identified by Applicant through its due diligence who may be Owners or Claimants of Coalbed Methane Gas interests underlying Subject Drilling Unit and that the persons identified in **Exhibit B-3** attached hereto are persons identified by Applicant who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formation who have not heretofore agreed to lease or sell to the Applicant and/or voluntarily pool their Gas interests. Conflicting Gas Owners/Claimants in Subject Drilling Unit are listed on **Exhibit E**. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of due process.

4. Amendments: **None**

5. Dismissals: **None**

6. Relief Requested: Applicant requests (1) that pursuant to Va. Code § 45.1-361.22, including the applicable portions of Va. Code § 45.1-361.21, the Board **repool** all the rights, interests and estates in and to the Gas in Subject Drilling Unit, including the **repooling** of the interests of the Applicant and of the known and unknown persons named in **Exhibit B-3** hereto and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Coalbed Methane Gas, produced from or allocated to the Subject Drilling Unit established for the Subject Formation underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "Well Development and/or Operation in the Subject Drilling Unit"), and (2) that the Board designate **CNX Gas Company LLC** as Unit Operator.

7. Relief Granted: The Applicant's requested relief in this cause be and hereby is granted: (1) Pursuant to Va. Code § 45.1-361.21.C.3, **CNX Gas Company LLC** (hereafter "Unit Operator") is designated as the Unit Operator authorized to drill and operate the Coalbed Methane Gas well in the Subject Drilling Unit at the location depicted on the plat attached hereto as **Exhibit A**, subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; to the Middle Ridge I Coalbed Methane Gas Field Order VGOB 00-1017-0835, effective October 17, 2000; to §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; and to §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time, and (2) all the interests and estates in and to the Gas in Subject Drilling Unit, including that of the Applicant and of the known and unknown persons listed on **Exhibit B-3**, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, be and hereby are **repoled** in the Subject Formation in the Subject Drilling

Unit underlying and comprised of the Subject Lands.

Pursuant to the Middle Ridge I Field Rules, the Board has adopted the following method for the calculation of production and revenue and allocation of allowable costs for the production of Coalbed Methane Gas.

For Frac Well Gas. - Gas shall be produced from and allocated to only the 58.74-acre drilling unit in which the well is located according to the undivided interests of each Owner/Claimant within the unit, which undivided interest shall be the ratio (expressed as a percentage) that the amount of mineral acreage within each separate tract that is within the Subject Drilling Unit, when platted on the surface, bears to the total mineral acreage, when platted on the surface, contained within the entire 58.74-acre drilling unit in the manner set forth in the Middle Ridge I Field Rules.

8. Election and Election Period: In the event any Owner or Claimant named in Exhibit B-3 hereto does not reach a voluntary agreement to share in the operation of the well located in the Subject Drilling Unit, at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person named may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 to the designated Unit Operator at the address shown below within thirty (30) days from the date of receipt of a copy of this Order. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

9.1 Option 1 - To Participate In The Well Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named in Exhibit B-3 who does not reach a voluntary agreement with the Unit Operator may elect to participate in the Well Development and Operation in the Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs of the Well Development contemplated by this Order for Gas produced pursuant to the Middle Ridge I Field Rules, including a reasonable supervision fee, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed-for-Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Completed-for-Production Cost as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The Completed-for-Production Cost for the Subject Drilling Unit is as follows:

Completed-for-Production Cost: BC120 - \$223,578.88

Any gas owner and/or claimants named in Exhibit B-3, who elect this option (Option 1) understand and agree that their initial payment under this option is for their proportionate share of the Applicant's estimate of actual costs and expenses. It is also understood by all persons electing this option that they are agreeing to pay their proportionate share of the actual costs and expenses as determined by the Operator named in this Board Order.

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operators' "Interest in Unit" times the Completed-for-Production Cost set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Completed-for-Production Cost as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of \$5.00 per net mineral acre owned by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Coalbed Methane Gas produced from any Well Development and Operation covered by this Order multiplied by that person's Interest in Unit or proportional share of said production [for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person] as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, subject to a final legal determination of ownership, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties

due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to and hereby does lease and assign, its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant.

- 9.3. Option 3 - To Share In The Well Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a Cash Bonus Consideration under Paragraph 9.2 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to share in the Well Development and Operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator") so that the proportionate part of the Completed-for-Production Cost hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Drilling Unit. Such Carried Well Operator's rights, interests, and claims in and to the Gas in Subject Drilling Unit shall be deemed and hereby are assigned to the Applicant until the proceeds from the sale of such Carried Well Operator's share of production from Subject Drilling Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Cost allocable to the interest of such Carried Well Operator. When the Applicant recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his proportionate part of all further costs of such Well Development and Operation.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the rights, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to have and hereby does assign its rights, interests, and claims in and to the Gas produced from

Subject Formation in the Subject Drilling Unit to the Applicant for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

10. Failure to Properly Elect: In the event a person named in Exhibit B-3 hereto does not reach a voluntary agreement with the Unit Operator and fails to elect within the time, in the manner and in accordance with the terms of this Order, one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed Well Development and Operation in Subject Drilling Unit and shall be deemed, subject to a final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies and shall be deemed to have leased and/or assigned his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant. Persons who fail to properly elect shall be deemed, subject to a final legal determination of ownership, to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from the Subject Formation underlying Subject Lands.

11. Default By Participating Person: In the event a person named in Exhibit B-3 elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Completed-for-Production Cost as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interest, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Drilling Unit in the Subject Lands covered hereby, except, however, for any royalties which would become due pursuant to Paragraph 9.2 hereof.

12. Assignment of Interest: In the event a person named in Exhibit B-3 is unable to reach a voluntary agreement to share in the Well Development and Operation contemplated by this Order at a rate of payment agreed to mutually by said Owner or Claimant and the Unit Operator, or fails to make an election under Paragraph 9.1 above, then subject to a final legal determination of ownership, such person shall be deemed to have and shall have assigned unto Applicant such person's right, interests, and claims in and to said well, and other share in production to which such person may be entitled by reason of any

election or deemed election hereunder in accordance with the provisions of this Order governing said election.

13. Unit Operator (or Operator): CNX Gas Company LLC shall be and hereby is designated as Unit Operator authorized to drill and operate the Coalbed Methane Well in Subject Formation in Subject Drilling Unit, all subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; the Middle Ridge I Coalbed Gas Field Order VGOB 00-1017-0835, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

CNX Gas Company LLC  
2481 John Nash Blvd.  
Bluefield, WV 24701  
Attn: Anita D. Duty

14. Commencement of Operations: Unit Operator shall commence or cause to commence operations for the drilling of the well(s) within the Subject Drilling Unit and/or the well(s) outside the Subject Drilling Unit but from which production is allocated to the Subject Drilling Unit within Seven Hundred and Thirty (730) days from the date of the Order and shall prosecute same with due diligence. If Unit Operator shall not have so commenced and/or prosecuted, then this Order shall terminate, except for any cash sums then payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 P.M. on the date on which all wells covered by the Order and/or all wells from which production is allocated to the Subject Drilling Unit are permanently abandoned and plugged. However, in the event an appeal is taken from this Order, then the time between the filing of the petition for appeal and the final Order of the Circuit Court shall be excluded in calculating the two-year period referred to herein.

15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are chargeable against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating any well covered hereby has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions:

The Applicant represented to the Board that there are unknown or unlocatable claimants in Tract(s) 3 of the Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.1 and the Unit Operator has represented to the Board that there are conflicting claimants in Tract(s) 1A, 1B, 1C, 1D, 1E, 1I, 1J, 1K, 1L, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, and 3 of Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.2 hereof. Therefore, by this Order, the Escrow Agent named herein or any successor named by the Board, is required to establish an interest-

bearing escrow account for Tract(s) 1A, 1B, 1C, 1D, 1E, 1I, 1J, 1K, 1L, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, and 3 of Subject Drilling Unit (herein "Escrow Account"), and to receive and account to the Board pursuant to its agreement for the escrowed funds hereafter described in Paragraphs 16.1 and 16.2:

**First Bank & Trust Company**  
**38 E. Valley Drive**  
**Bristol, VA 24201**  
**Attn: Debbie Davis**

**16.1. Escrow Provisions For Unknown or Unlocatable Persons:** If any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Unit Operator into the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are being deposited. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code § 45.1-361.21.D.

**16.2 Escrow Provisions For Conflicting Claimants:** If any payment of bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Unit Operator pursuant to Paragraph 9.1 hereof, if any, (1) shall not be commingled with any funds of the Unit Operator; and (2) shall, pursuant to Va. Code §§ 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, be deposited by the Operator into the Escrow Account within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board.



17. Special Findings: The Board specifically and specially finds:
- 17.1. CNX Gas Company LLC, a Virginia limited liability company is duly authorized and qualified to transact business in the Commonwealth of Virginia;
  - 17.2. CNX Gas Company LLC has the authority to explore, develop and maintain the properties and assets now owned or hereafter acquired, consented to serve as Coalbed Methane Gas Unit Operator for Subject Drilling Unit and to faithfully discharge the duties imposed upon it as Unit Operator by statute and regulations;
  - 17.3. CNX Gas Company LLC is an operator in the Commonwealth of Virginia, and has satisfied the Board's requirements for operations in Virginia;
  - 17.4. CNX Gas Company LLC claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing 81.4557 percent of the oil and gas interest/claims in and to Coalbed Methane Gas and 97.5060 percent of the coal interest/claims in and to Coalbed Methane Gas in Subject Drilling Unit; and, Applicant claims the right to explore for, develop and produce Coalbed Methane Gas from Subject Formations in Subject Drilling Unit in Russell County, Virginia, which Subject Lands are more particularly described in Exhibit A;
  - 17.5. The estimated total production from Subject Drilling Unit is 125 MMCF to 550 MMCF. The estimated amount of reserves from the Subject Drilling Unit is 125 MMCF to 550 MMCF;
  - 17.6. Set forth in Exhibit B-3, is the name and last known address of each Owner or Claimant identified by the Applicant as having or claiming an interest in the Coalbed Methane Gas in Subject Formation in Subject Drilling Unit underlying and comprised of Subject Lands, who has not, in writing, leased to the Applicant or the Unit Operator or agreed to voluntarily pool his interests in Subject Drilling Unit for its development. The interests of the Respondents listed in Exhibit B-3 comprise 18.5443 percent of the oil and gas interests/claims in and to Coalbed Methane Gas and 2.4940 percent of the coal interests/claims in and to Coalbed Methane Gas in Subject Drilling Unit;
  - 17.7. Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in the Wells are those options provided in Paragraph 9 above;
  - 17.8. The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person listed and named in Exhibit B-3 hereto the opportunity to recover or receive, without unnecessary expense, such person's just and fair share of the production from Subject Drilling Unit. The granting of the Application and relief requested

therein will ensure to the extent possible the greatest ultimate recovery of Coalbed Methane Gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.

18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt by Unit Operator to each Respondent named in Exhibit B-3 repooled by this Order and whose address is known.

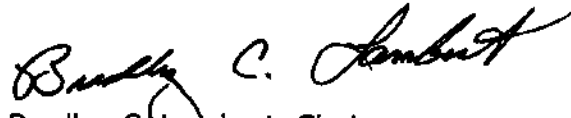
19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).

20. Conclusion: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

21. Appeals: Appeals of this Order are governed by the provisions of Va. Code Ann. § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court.

22. Effective Date: This Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.

BOOK 0770 PAGE 0994  
Done and executed this 3 day of Dec., 20/13, by a majority of the  
Virginia Gas and Oil Board.


  
Bradley C. Lambert, Chairman  
Virginia Gas and Oil Board

Done and performed this 3<sup>rd</sup> day of Dec, 20/13, by order of the  
Board.

  
Rick Cooper, Principal Executive to the staff  
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 3<sup>rd</sup> day of Dec., 20/13, personally before  
me a notary public in and for the Commonwealth of Virginia, appeared Bradley C.  
Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia  
Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is the  
Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed  
the same and were was authorized to do so.

  
Diane J. Davis, Notary Public  
174394  
Expires 09/30/2017



PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE AND DOES NOT REPRESENT A CURRENT FIELD SURVEY.

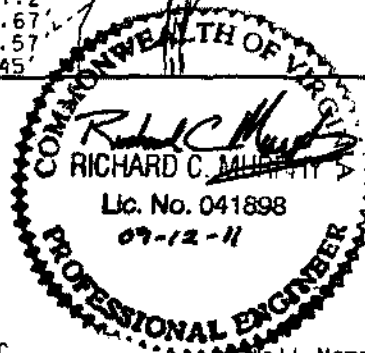
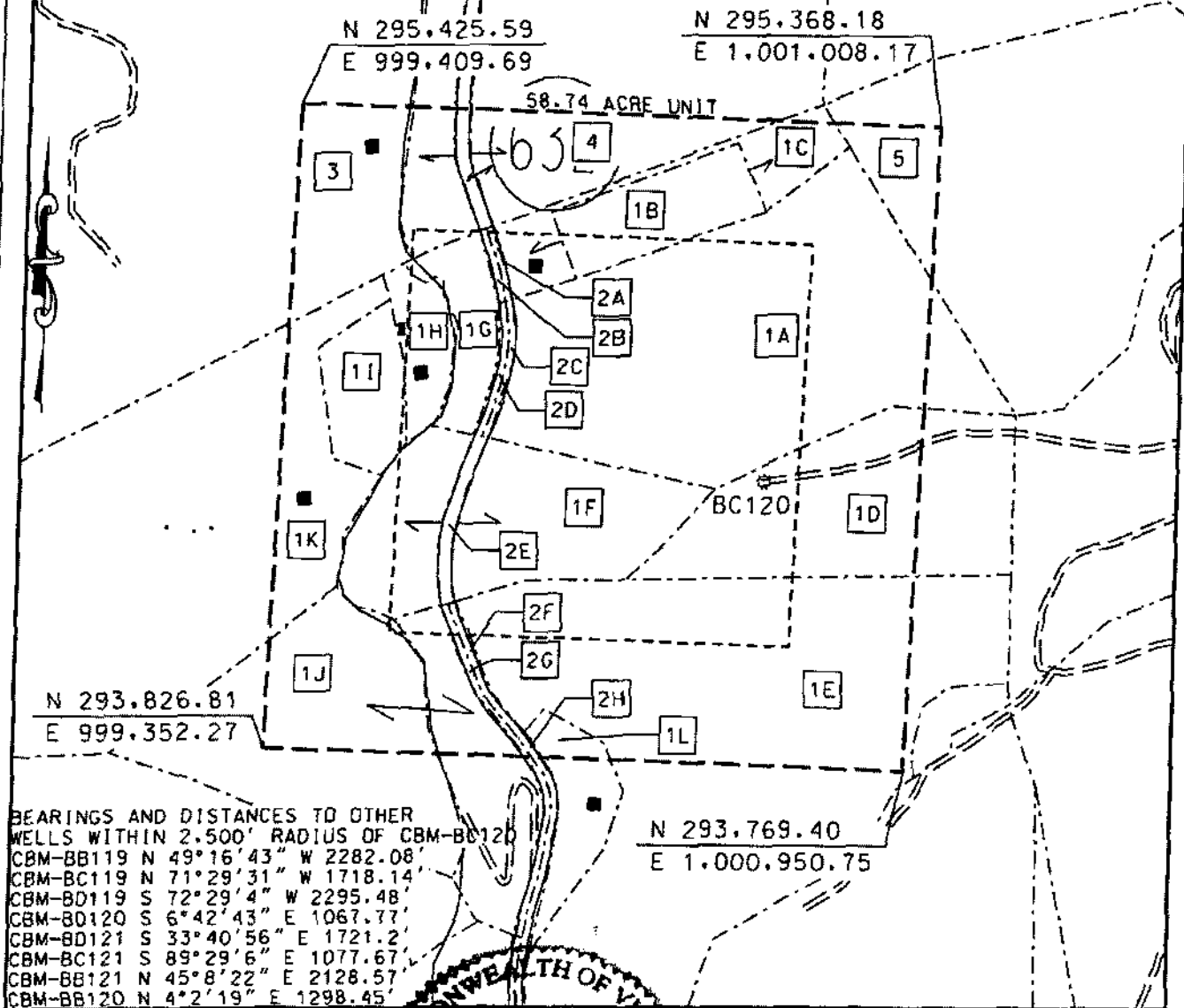


EXHIBIT A  
MIDDLE RIDGE FIELD  
UNIT BC120  
FORCE POOLING  
VGOB 03-0218-1115-01

Company CNX Gas Company LLC Well Name and Number UNIT BC120  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle HONAKER  
 County RUSSELL District NEW GARDEN Scale: 1" = 400' Date \_\_\_\_\_  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGD-GO-7  
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

**CNX Gas Company LLC****Unit BC-120****Tract Identifications****(58.74 Acre Unit)**

- 1A. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 E. P. Whited Heirs, Devisees, Successors or Assigns OR A. Wayne Bostic – Surface, Oil and Gas  
 CNX Gas Company, LLC – Oil, Gas and CBM Leased (A. Wayne Bostic Interest)  
 CNX Gas Company, LLC – Oil, Gas and CBM Leased (E. P. Whited Interest 99.1071%)  
 13.21 acres                      22.4889%
- 1B. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Joseph Shelton, et ux – Surface, Oil and Gas  
 2.05 acres                      3.4900%
- 1C. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Audrey Ward, et al – Surface, Oil and Gas  
 1.69 acres                      2.8771%
- 1D. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Melba Stephens, et al – Surface, Oil and Gas  
 CNX Gas Company, LLC – Oil, Gas and CBM Leased  
 4.46 acres                      7.5928%
- 1E. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Julius Steele Heirs – Surface, Oil and Gas  
 CNX Gas Company, LLC – Oil, Gas and CBM Leased  
 10.65 acres                      18.1307%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

**CNX Gas Company LLC****Unit BC-120****Tract Identifications****(58.74 Acre Unit)**

- 1F. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Fee  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
6.00 acres 10.2145%
- 1G. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Fee  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
1.36 acres 2.3153%
- 1H. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Fee  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
1.12 acres 1.9067%
- 1I. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Harvey Plaster – Surface, Oil and Gas  
1.64 acres 2.7920%
- 1J. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Charlie Powell, et ux – Surface, Oil and Gas  
CNX Gas Company, LLC – Oil, Gas and CBM Leased  
4.21 acres 7.1672%
- 1K. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
James Plaster Heirs, Successors or Assigns – Surface, Oil and Gas  
2.77 acres 4.7157%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

**CNX Gas Company LLC****Unit BC-120****Tract Identifications****(58.74 Acre Unit)**

- 1L. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Charlie F. Powell, et ux – Surface, Oil and Gas  
CNX Gas Company, LLC – Oil, Gas and CBM Leased  
0.35 acres 0.5958%
- 2A. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Audrey Ward, et al OR Commonwealth of Virginia – Surface, Oil, and Gas  
0.06 acres 0.1021%
- 2B. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
James Plaster Heirs, Successors or Assigns OR Commonwealth of Virginia – Surface, Oil, and Gas  
0.09 acres 0.1532%
- 2C. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
E. P. Whited Heirs, Devisees, Successors or Assigns  
OR Commonwealth of Virginia – Surface, Oil, and Gas  
CNX Gas Company, LLC – Oil, Gas and CBM Leased (E. P. Whited Interest 99.1071%)  
0.13 acres 0.2213%
- 2D. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – CBM Leased  
Swords Creek Land Partnership OR Commonwealth of Virginia – Surface, Oil, and Gas  
CNX Gas Company, LLC – Oil, Gas and CBM Leased (If owned by Swords Creek Land Partnership)  
0.17 acres 0.2894%

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**CNX Gas Company LLC****Unit BC-120****Tract Identifications****(58.74 Acre Unit)**

- 2E. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Swords Creek Land Partnership OR Commonwealth of Virginia – Surface, Oil, and Gas  
 CNX Gas Company, LLC – Oil, Gas and CBM Leased (If owned by Swords Creek Land Partnership)  
 0.32 acres 0.5448%
- 2F. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Julius Steele Heirs OR Commonwealth of Virginia – Surface, Oil, and Gas  
 CNX Gas Company, LLC – Oil, Gas and CBM Leased (If owned by Julius Steele Heirs)  
 0.19 acres 0.3235%
- 2G. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Charlie Powell, et ux OR Commonwealth of Virginia – Surface, Oil, and Gas  
 CNX Gas Company, LLC – Oil, Gas and CBM Leased (If owned by Charlie Powell, et ux)  
 0.17 acres 0.2894%
- 2H. Swords Creek Land Partnership, Tr. 13 (574.58 Acre Tract) – Coal  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – CBM Leased  
 Charlie Powell, et ux OR Commonwealth of Virginia – Surface, Oil, and Gas  
 CNX Gas Company, LLC – Oil, Gas and CBM Leased (If owned by Charlie Powell, et ux)  
 0.03 acres 0.0511%
3. Swords Creek Land Partnership Tr. 57 (68.80 Acre Tract) OR A. Wayne Bostic, et al (1/2) and Creola  
 Blake Heirs, Successors or Assigns (1/2) OR A. Wayne Bostic, et al (7/16),  
 Creola Blake Heirs, Successors or Assigns (7/16) and Swords Creek Land  
 Partnership Tr. 57 (1/8) – Fee  
 Reserve Coal Properties Company – Coal Below Tiller Seam Leased (100% Leased  
 If owned by Swords Creek Land Partnership)  
 Knox Creek Coal Corporation – Tiller and Above Coal Leased  
 CNX Gas Company LLC – Oil, Gas and CBM Leased (100% Leased if  
 A. Wayne Bostic and/or Swords Creek Land Partnership are the  
 only owners. Blake Heirs interest is not leased)  
 2.93 acres 4.9881%

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**CNX Gas Company LLC**

**Unit BC-120**

**Tract Identifications  
(58.74 Acre Unit)**

4.    **Swords Creek Land Partnership Tr. 54 (29.00 Acre Tract) – Fee  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
4.00 acres                      6.8097%**
  
5.    **Swords Creek Land Partnership Tr. 25 (94.15 Acre Tract) – All Minerals  
Reserve Coal Properties Company – Coal Below Tiller Seam Leased  
Knox Creek Coal Corporation – Tiller and Above Coal Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
E. P Whited Heirs or Wayne Bostic – Surface  
1.14 acres                      1.9407%**

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Exhibit B-3  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of all Unleased Owners/Claimants  
(58.74 Acre Unit)

BOOK 0770 PAGE 1001

|   | Acres in Unit                       | Interest in Unit |
|---|-------------------------------------|------------------|
| <b>I. COAL OWNERSHIP</b>  |                                     |                  |
| <u>Tract #3, 2.93 acres</u>   |                                     |                  |
| (2) Creola Blake Heirs, Devisees,<br>Successors or Assigns<br><i>Heirs/Addresses Unknown</i>                                    | 1.47 acres<br>1/2 of 2.93 acres     | 2.4940%          |
| (OR)  |                                     |                  |
| (2) Creola Blake Heirs, Devisees,<br>Successors or Assigns<br><i>Heirs/Addresses Unknown</i>                                    | 1.28 acres<br>7/16 of 2.93 acres    | 2.1623%          |
| <b><u>TOTAL COAL ESTATE:</u></b>  |                                     |                  |
| Acreage in Unit Unleased  |                                     | 1.47             |
| Percentage of Unit Unleased   |                                     | 2.4940%          |
| <b>II. OIL &amp; GAS OWNERSHIP</b>  |                                     |                  |
| <u>Tract #1A, 13.21 acres</u>   |                                     |                  |
| (1) E. P. Whitfield Heirs, Devisees,<br>Successors or Assigns   | 13.21 acres                         | 22.4889%         |
| (f) J.B. Whitfield Heirs, Devisees, Successors or Assigns<br>c/o Geneva Chervenik<br>2942 Silver Lake Village<br>Stow, OH 44224 | 0.10 acres<br>1/126 of 13.21 acres  | 0.1785%          |
| (g) Margaret Sigmon Heirs, Devisees,<br>Successors or Assigns   |                                     |                  |
| (g.2) Leslie G. Sigmon<br>121 Hazel St. NE<br>Hartsville, OH 44632-8781   | 0.01 acres<br>1/1008 of 13.21 acres | 0.0223%          |
| <u>Tract #1B, 2.05 acres</u>  |                                     |                  |
| (1) Joseph Shelton, et ux<br>P.O. Box 344<br>Swords Creek, VA 24649   | 2.05 acres                          | 3.4900%          |
| <u>Tract #1C, 1.69 acres</u>  |                                     |                  |
| (1) Audrey Ward, et al.   | 1.69 acres                          | 2.8771%          |
| (a) Audrey Ward<br>2956 Lynn Springs Rd.<br>Swords Creek, VA 24649  | 0.19 acres<br>1/9 of 1.69 acres     | 0.3197%          |
| (b) Shirley Mae Tuggle<br>181 Tuggle Hollow<br>Swords Creek, VA 24649   | 0.19 acres<br>1/9 of 1.69 acres     | 0.3197%          |
| (c) Janie R. Shelton<br>P.O. Box 344<br>Swords Creek, VA 24649  | 0.19 acres<br>1/9 of 1.69 acres     | 0.3197%          |
| (d) Darlene Lillian Whitfield<br>P.O. Box 312<br>Raven, VA 24639  | 0.19 acres<br>1/9 of 1.69 acres     | 0.3197%          |
| (e) Mary Ellen Thomas<br>P.O. Box 2171<br>Honaker, VA 24260   | 0.19 acres<br>1/9 of 1.69 acres     | 0.3197%          |
| (f) Jackie William Ward<br>P.O. Box 2073<br>Honaker, VA 24260   | 0.19 acres<br>1/9 of 1.69 acres     | 0.3197%          |
| (g) Ralph Bruce Ward<br>2956 Lynn Springs Rd.<br>Swords Creek, VA 24649   | 0.19 acres<br>1/9 of 1.69 acres     | 0.3197%          |

18

Exhibit B-3  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of all Unleased Owners/Claimants  
(58.74 Acre Unit)

BOOK 0770 PAGE 1002

|   | Acres in Unit                   | Interest in Unit |
|---|---------------------------------|------------------|
| (h) Kathy S. Casey<br>1746 Lynn Springs Rd.<br>Swords Creek, VA 24649   | 0.19 acres<br>1/9 of 1.69 acres | 0.3197%          |
| (i) Patty Lynn Dye<br>Rt.1 Box 47B<br>Raven, VA 24639   | 0.19 acres<br>1/9 of 1.69 acres | 0.3197%          |
| <u>Tract #1I, 1.64 acres</u>  |                                 |                  |
| (1) Harvey Plaster<br>RR1 Box 213<br>Swords Creek, VA 24649   | 1.64 acres                      | 2.7920%          |
| <u>Tract #1K, 2.77 acres</u>  |                                 |                  |
| (1) James Plaster Heirs, Devisees, Successors or Assigns<br>c/o Harvey Plaster<br>RR1 Box 213<br>Swords Creek, VA 24649 | 2.77 acres                      | 4.7157%          |
| <u>Tract #2A, 0.06 acres</u>  |                                 |                  |
| (1) Audrey Ward, et al.   | 0.06 acres                      | 0.1021%          |
| (a) Audrey Ward<br>2956 Lynn Springs Rd.<br>Swords Creek, VA 24649  | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (b) Shirley Mae Tuggle<br>181 Tuggle Hollow<br>Swords Creek, VA 24649   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (c) Janie R. Shelton<br>P.O. Box 344<br>Swords Creek, VA 24649  | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (d) Darlene Lillian Whited<br>P.O. Box 312<br>Raven, VA 24639   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (e) Mary Ellen Thomas<br>P.O. Box 2171<br>Honaker, VA 24260   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (f) Jackie William Ward<br>P.O. Box 2073<br>Honaker, VA 24260   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (g) Ralph Bruce Ward<br>2956 Lynn Springs Rd.<br>Swords Creek, VA 24649   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (h) Kathy S. Casey<br>1746 Lynn Springs Rd.<br>Swords Creek, VA 24649   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (i) Patty Lynn Dye<br>Rt.1 Box 47B<br>Raven, VA 24639   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113%          |
| (OR)  |                                 |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002               | 0.06 acres                      | 0.1021%          |
| <u>Tract #2B, 0.09 acres</u>  |                                 |                  |
| (1) James Plaster Heirs, Devisees, Successors or Assigns<br>c/o Harvey Plaster<br>RR2 Box 170<br>Honaker, VA 24260      | 0.09 acres                      | 0.1532%          |

Exhibit B-3  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of all Unleased Owners/Claimants  
(58.74 Acre Unit)

|   | Acres in Unit                         | Interest in Unit |
|---|---------------------------------------|------------------|
| (OR)  |                                       |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002                   | 0.08 acres                            | 0.1532%          |
| <u>Tract #2C, 0.13 acres</u>  |                                       |                  |
| (1) E. P. Whitte Heirs, Devises,<br>Successors or Assigns   | 0.13 acres                            | 0.2213%          |
| (f) J.B. Whitte Heirs, Devises, Successors or Assigns<br>c/o Geneva Chervenik<br>2942 Silver Lake Village<br>Stow, OH 44224 | 0.00103 acres<br>1/126 of 0.13 acres  | 0.0018%          |
| (g) Margaret Sigmon Heirs, Devises,<br>Successors or Assigns  |                                       |                  |
| (g.2) Leslie G. Sigmon<br>121 Hazel St. NE<br>Hartsville, OH 44632-8781   | 0.00013 acres<br>1/1008 of 0.13 acres | 0.0002%          |
| (OR)  |                                       |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002                   | 0.13 acres                            | 0.2213%          |
| <u>Tract #2D, 0.17 acres</u>  |                                       |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002                   | 0.17 acres                            | 0.2894%          |
| <u>Tract #2E, 0.32 acres</u>  |                                       |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002                   | 0.32 acres                            | 0.5448%          |
| <u>Tract #2F, 0.19 acres</u>  |                                       |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002                   | 0.19 acres                            | 0.3235%          |
| <u>Tract #2G, 0.17 acres</u>  |                                       |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002                   | 0.17 acres                            | 0.2894%          |
| <u>Tract #2H, 0.03 acres</u>  |                                       |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002                   | 0.03 acres                            | 0.0511%          |
| <u>Tract #3, 2.93 acres</u>   |                                       |                  |
| (2) Creola Blake Heirs, Devises,<br>Successors or Assigns<br>Heirs/Addresses Unknown  | 1.47 acres<br>1/2 of 2.93 acres       | 2.4940%          |

(OR)

Exhibit B-3  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of all Unleased Owners/Claimants  
(58.74 Acre Unit)

BOOK 0770 PAGE 1004

|  | Acres in Unit                    | Interest in Unit |
|--|----------------------------------|------------------|
| (2) Creola Blake Heirs, Devisees,<br>Successors or Assigns<br><i>Heirs/Addresses Unknown</i> | 1.28 acres<br>7/18 of 2.93 acres | 2.1823%          |

TOTAL OIL & GAS ESTATE:

|                             |       |          |
|-----------------------------|-------|----------|
| Acres in Unit Unleased      | 10.89 |          |
| Percentage of Unit Unleased |       | 18.5443% |

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

|  | Acres in Unit  | Interest in Unit |
|--|--|------------------|
| <u>Tract #1A, 13.21 acres</u>  |  |                  |
| <i>Escrow Due to Title &amp; CBM Conflict</i>  |  |                  |
| <u>COAL OWNERSHIP</u>  |  |                  |
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 13.21 acres  | 22.4869%         |
| <u>OIL &amp; GAS OWNERSHIP</u>   |  |                  |
| (1) E. P. Whited Heirs, Devises,<br>Successors or Assigns  | 13.21 acres  | 22.4869%         |
| (a) Esta Madeleine Whited Heirs, Devises,<br>Successors or Assigns                                   |  |                  |
| (a.1) Shelia D. Whited<br>1563 Massillon Road<br>Akron, OH 44312-4202                                | 1.31 acres<br>25/252 of 13.21 acres                        | 2.2310%          |
| (a.2) Linda Whited Burnett<br>14506 CR112<br>Centerville, TX 75833                                   | 1.31 acres<br>25/252 of 13.21 acres                        | 2.2310%          |
| (b) Easterly Elkins Heirs, Devises,<br>Successors or Assigns   |  |                  |
| (b.1) Arch J. Elkins   | <i>Conveyed interest to Corine W. Dye (DB 420, PG 277)</i> |                  |
| (b.1.1) Corine W. Dye<br>343 Swords Creek Rd.<br>Honaker, VA 24649                                   | 2.52 acres<br>4/21 of 13.21 acres                          | 4.2836%          |
| (c) Leah McNulty Heirs, Devises,<br>Successors or Assigns  |  |                  |
| (c.1) Brenda Joyce Strouth<br>175 Shaker Road<br>Enfield, CT 06082                                   | 0.87 acres<br>25/378 of 13.21 acres                        | 1.4874%          |
| (c.2) Jana Carolyn McCann<br>979 Warrenville Road<br>Mansfield, CT 06250                             | 0.87 acres<br>25/378 of 13.21 acres                        | 1.4874%          |
| (c.3) Stevie Frederick McNulty<br>Rt.2 Box 229<br>Honaker, VA 24649                                  | 0.87 acres<br>25/378 of 13.21 acres                        | 1.4874%          |
| (d) Mary Steele Heirs, Devises,<br>Successors or Assigns   |  |                  |
| (d.1) Melba S. Stephens<br>PO Box 49<br>Vansant, VA 24656  | 0.66 acres<br>25/504 of 13.21 acres                        | 1.1155%          |
| (d.2) Vivian Dawson<br>3166 Chestnut Rd.<br>Seven Hill, OH 44134                                     | 0.66 acres<br>25/504 of 13.21 acres                        | 1.1155%          |
| (d.3) Loretta Jones<br>8546 Swords Creek Rd.<br>Swords Creek, VA 24649                               | 0.66 acres<br>25/504 of 13.21 acres                        | 1.1155%          |
| (d.4) Julius Steele Heirs, Devises,<br>Successors or Assigns   |  |                  |
| (d.4.1) Lolita Lockhart<br>2459 Lynn Springs Rd.<br>Swords Creek, VA 24649                           | 0.22 acres<br>25/1512 of 13.21 acres                       | 0.3718%          |
| (d.4.2) Rita Powell<br>2671 Lynn Springs Rd.<br>Swords Creek, VA 24649                               | 0.22 acres<br>25/1512 of 13.21 acres                       | 0.3718%          |

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1006

|  | Acres in Unit                        | Interest in Unit |
|--|--------------------------------------|------------------|
| (d.4.3) Angela Roberts<br>361 Pond St.<br>Pounding Mill, VA 24637  | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (e) James C. Whited Heirs, Devisees,<br>Successors or Assigns  |                                      |                  |
| (e.1) Pearl Whited Heirs, Devisees,<br>Successors or Assigns   |                                      |                  |
| (e.1.1) Dorothy J. Keene<br>2774 Wardell Rd.<br>Pounding Mill, VA 24637  | 0.28 acres<br>25/1134 of 13.21 acres | 0.4958%          |
| (e.1.2) Linda Lowman<br>206 Austin St.<br>N. Tazewell, VA 24630  | 0.15 acres<br>25/2268 of 13.21 acres | 0.2479%          |
| (e.1.3) David Whittaker<br>1100 Flat Lick Rd.<br>London, KY 40744  | 0.15 acres<br>25/2268 of 13.21 acres | 0.2479%          |
| (e.1.4) Joetta Wahlen<br>402 Point Dr.<br>Pounding Mill, VA 24637  | 0.15 acres<br>25/2268 of 13.21 acres | 0.2479%          |
| (e.1.5) Charlene Altizer<br>901 Emanon St.<br>N. Myrtle Beach, SC 29581  | 0.15 acres<br>25/2268 of 13.21 acres | 0.2479%          |
| (e.2) Betty W. Cole<br>1100 N. Ironwood Place<br>Broken Arrow, OK 74012  | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (e.3) Anita W. Ray<br>1903 Lynn Springs Rd.<br>Swords Creek, VA 24649  | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (e.4) James P. Whited<br>2830 Sprague Street<br>Winston Salem, NC 27107  | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (e.5) Judy W. Miller<br>1254 Lynn Springs Rd.<br>Swords Creek, VA 24649  | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (e.6) L. Karen Webb<br>825 Big Creek Road<br>Richlands, VA 24641   | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (e.7) Donna Piaster<br>105 Shannon Heights<br>Richlands, VA 24641  | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (e.8) David A. Whited<br>Box 215<br>Richlands, VA 24641  | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (e.9) Randall G. Whited Heirs, Devisees,<br>Successors or Assigns  |                                      |                  |
| (e.9.1) Lily Keen Whited<br>513 E. 15th St.<br>Lumberton, NC 28358   | 0.22 acres<br>25/1512 of 13.21 acres | 0.3718%          |
| (f) J.B. Whited Heirs, Devisees, Successors or Assigns<br>c/o Geneva Chervenec<br>2942 Silver Lake Village<br>Stow, OH 44224 | 0.10 acres<br>1/126 of 13.21 acres   | 0.1785%          |
| (g) Margaret Sigmon Heirs, Devisees,<br>Successors or Assigns  |                                      |                  |
| (g.1) Janis K. Ray<br>1097 River Drive<br>Mansfield, OH 44906  | 0.01 acres<br>1/1008 of 13.21 acres  | 0.0223%          |

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1007

|  | Acres in Unit                       | Interest In Unit |
|--|-------------------------------------|------------------|
| (g.2) Leslie G. Sigmon<br>121 Hazel St. NE<br>Hartsville, OH 44632-8781          | 0.01 acres<br>1/1008 of 13.21 acres | 0.0223%          |
| (g.3) Larry G. Sigmon<br>1329 Pipers Pointe Lane B-103<br>Myrtle Beach, SC 29577 | 0.01 acres<br>1/1008 of 13.21 acres | 0.0223%          |
| (g.4) Rebecca L. Wilson<br>3757 Sweitzer St. NW<br>Uniontown, OK 44685           | 0.01 acres<br>1/1008 of 13.21 acres | 0.0223%          |
| (g.5) Lora L. Messer<br>1227 Cairn Rd.<br>Mansfield, OH 44903                    | 0.01 acres<br>1/1008 of 13.21 acres | 0.0223%          |
| (g.6) Carol A. Musick-Dye<br>1750 Lynn Springs Rd.<br>Swords Creek, VA 24649     | 0.01 acres<br>1/1008 of 13.21 acres | 0.0223%          |
| (g.7) Sharon L. Hubbard<br>P.O. Box 164<br>Swords Creek, VA 24649                | 0.01 acres<br>1/1008 of 13.21 acres | 0.0223%          |
| (g.8) Ricky D. Sigmon<br>809 Fayette Street<br>Princeton, WV 24740               | 0.01 acres<br>1/1008 of 13.21 acres | 0.0223%          |
| (OR)   |                                     |                  |
| (1) A. Wayne Bostic<br>P.O. Box 1<br>Swords Creek, VA 24649                      | 13.21 acres                         | 22.4889%         |
| Acres in Tract Conflicting   | 13.2100                             |                  |
| Percentage of Tract Conflicting  |                                     | 22.4889%         |

Tract #1B, 2.05 acres

COAL OWNERSHIP

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 2.05 acres | 3.4900% |
|--|------------|---------|

OIL & GAS OWNERSHIP

|   |            |         |
|---|------------|---------|
| (1) Joseph Shelton, et ux<br>P.O. Box 344<br>Swords Creek, VA 24649 | 2.05 acres | 3.4900% |
|---|------------|---------|

Tract #1C, 1.69 acres

COAL OWNERSHIP

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 1.69 acres | 2.8771% |
|--|------------|---------|

OIL & GAS OWNERSHIP

|   |                                 |         |
|---|---------------------------------|---------|
| (1) Audrey Ward, et al.   | 1.69 acres                      | 2.8771% |
| (a) Audrey Ward<br>2956 Lynn Springs Rd.<br>Swords Creek, VA 24649    | 0.19 acres<br>1/9 of 1.69 acres | 0.3197% |
| (b) Shirley Mae Tuggle<br>181 Tuggle Hollow<br>Swords Creek, VA 24649 | 0.19 acres<br>1/9 of 1.69 acres | 0.3197% |
| (c) Janie R. Shelton<br>P.O. Box 344<br>Swords Creek, VA 24649        | 0.19 acres<br>1/9 of 1.69 acres | 0.3197% |



Exhibit E  
Unit 8C-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BUCK 0770 PAGE 1008

|   | Acres in Unit                   | Interest in Unit |
|---|---------------------------------|------------------|
| (d) Darlene Lillian Whited<br>P.O. Box 312<br>Raven, VA 24639           | 0.19 acres<br>1/9 of 1.69 acres | 0.3197%          |
| (e) Mary Ellen Thomas<br>P.O. Box 2171<br>Honaker, VA 24260             | 0.19 acres<br>1/9 of 1.69 acres | 0.3197%          |
| (f) Jackie William Ward<br>P.O. Box 2073<br>Honaker, VA 24260           | 0.19 acres<br>1/9 of 1.69 acres | 0.3197%          |
| (g) Ralph Bruce Ward<br>2956 Lynn Springs Rd.<br>Swords Creek, VA 24649 | 0.19 acres<br>1/9 of 1.69 acres | 0.3197%          |
| (h) Kathy S. Casey<br>1746 Lynn Springs Rd.<br>Swords Creek, VA 24649   | 0.19 acres<br>1/9 of 1.69 acres | 0.3197%          |
| (i) Patty Lynn Dye<br>4231 Old KY Turnpike<br>Raven, VA 24639           | 0.19 acres<br>1/9 of 1.69 acres | 0.3197%          |
| <b>Acres in Tract Conflicting</b>                                       | <b>1.6900</b>                   |                  |
| <b>Percentage of Tract Conflicting</b>                                  |                                 | <b>2.8771%</b>   |

Tract #1D, 4.46 acres

COAL OWNERSHIP

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 4.46 acres | 7.5928% |
|--|------------|---------|

OIL & GAS OWNERSHIP

|   |                                  |                |
|---|----------------------------------|----------------|
| (1) Melba Stephens, et al.  | 4.46 acres                       | 7.5928%        |
| (a) Melba S. Stephens<br>PO Box 49<br>Vansant, VA 24656                   | 1.12 acres<br>1/4 of 4.46 acres  | 1.8982%        |
| (b) Vivian Dawson<br>3168 Chestnut Rd.<br>Seven Hill, OH 44134            | 1.12 acres<br>1/4 of 4.46 acres  | 1.8982%        |
| (c) Loretta Jones<br>8546 Swords Creek Rd.<br>Swords Creek, VA 24649      | 1.12 acres<br>1/4 of 4.46 acres  | 1.8982%        |
| (d) Julius Steele Heirs, Devisees,<br>Successors or Assigns               |                                  |                |
| (d.1) Lolita Lockhart<br>2459 Lynn Springs Road<br>Swords Creek, VA 24649 | 0.37 acres<br>1/12 of 4.46 acres | 0.6327%        |
| (d.2) Rita Powell<br>2671 Lynn Springs Road<br>Swords Creek, VA 24649     | 0.37 acres<br>1/12 of 4.46 acres | 0.6327%        |
| (d.3) Angela Roberts<br>361 Pond Street<br>Pounding Mill, VA 24637        | 0.37 acres<br>1/12 of 4.46 acres | 0.6327%        |
| <b>Acres in Tract Conflicting</b>   | <b>4.4600</b>                    |                |
| <b>Percentage of Tract Conflicting</b>                                    |                                  | <b>7.5928%</b> |

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1009

|  | Acres in Unit                    | Interest in Unit |
|--|----------------------------------|------------------|
| <b><u>Tract #1E, 10.65 acres</u></b>   |                                  |                  |
| <b><u>COAL OWNERSHIP</u></b>   |                                  |                  |
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651   | 10.65 acres                      | 18.1307%         |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>  |                                  |                  |
| (1) Julius Steele Heirs, Devisees,<br>Successors, or Assigns   | 10.65 acres                      | 18.1307%         |
| (a) Lolita Lockhart *<br>2459 Lynn Springs Road<br>Swords Creek, VA 24649  | 3.55 acres<br>1/3 of 10.65 acres | 6.0436%          |
| (b) Rita Powell *<br>2671 Lynn Springs Road<br>Swords Creek, VA 24649  | 3.55 acres<br>1/3 of 10.65 acres | 6.0436%          |
| (c) Angela Roberts *<br>361 Pond Street<br>Pounding Mill, VA 24637   | 3.55 acres<br>1/3 of 10.65 acres | 6.0436%          |
| * 1/2 of all royalties was reserved by Virginia Steele attributable to this tract<br>Virginia Steele<br>1251 Lynn Springs Road<br>Swords Creek, VA 24649 |                                  |                  |
| Acreage in Tract Conflicting   | 10.6500                          |                  |
| Percentage of Tract Conflicting  |                                  | 18.1307%         |

**Tract #1I, 1.64 acres**

**COAL OWNERSHIP**

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 1.64 acres | 2.7920% |
|--|------------|---------|

**OIL & GAS OWNERSHIP**

|   |            |         |
|---|------------|---------|
| (1) Harvey Plasier<br>RR1 Box 213<br>Swords Creek, VA 24649 | 1.64 acres | 2.7920% |
|---|------------|---------|

**Tract #1J, 4.21 acres**

**COAL OWNERSHIP**

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 4.21 acres | 7.1672% |
|--|------------|---------|

**OIL & GAS OWNERSHIP**

|   |            |         |
|---|------------|---------|
| (1) Charlie Powell, et ux<br>2671 Lynn Springs Rd<br>Swords Creek, VA 24649 | 4.21 acres | 7.1672% |
|---|------------|---------|

**Tract #1K, 2.77 acres**

**COAL OWNERSHIP**

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 2.77 acres | 4.7157% |
|--|------------|---------|

248

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1010

|   | Acres in Unit | Interest in Unit |
|---|---------------|------------------|
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>   |               |                  |
| (1) James Plaster Heirs, Devisees, Successors or Assigns<br>c/o Harvey Plaster<br>RR1 Box 213<br>Swords Creek, VA 24649 | 2.77 acres    | 4.7157%          |

**Tract #11, 0.35 acres**

**COAL OWNERSHIP**

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 0.35 acres | 0.5958% |
|--|------------|---------|

**OIL & GAS OWNERSHIP**

|   |            |         |
|---|------------|---------|
| (1) Charlie Powell, et ux<br>2671 Lynn Springs Rd<br>Swords Creek, VA 24649 | 0.35 acres | 0.5958% |
|---|------------|---------|

**Tract #2A, 0.06 acres**

*Escrow Due to Title & CBM Conflict*

**COAL OWNERSHIP**

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 0.06 acres | 0.1021% |
|--|------------|---------|

**OIL & GAS OWNERSHIP**

|   |                                 |         |
|---|---------------------------------|---------|
| (1) Audrey Ward, et al.   | 0.06 acres                      | 0.1021% |
| (a) Audrey Ward<br>2956 Lynn Springs Rd.<br>Swords Creek, VA 24649      | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |
| (b) Shirley Mae Tuggle<br>181 Tuggle Hollow<br>Swords Creek, VA 24649   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |
| (c) Janie R. Shelton<br>P.O. Box 344<br>Swords Creek, VA 24649          | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |
| (d) Darlene Lillian Whited<br>P.O. Box 312<br>Raven, VA 24639           | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |
| (e) Mary Ellen Thomas<br>P.O. Box 2171<br>Honaker, VA 24260             | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |
| (f) Jackie William Ward<br>P.O. Box 2073<br>Honaker, VA 24260           | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |
| (g) Ralph Bruce Ward<br>2956 Lynn Springs Rd.<br>Swords Creek, VA 24649 | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |
| (h) Kathy S. Casey<br>1746 Lynn Springs Rd.<br>Swords Creek, VA 24649   | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |
| (i) Patty Lynn Dye<br>4231 Old KY Turnpike<br>Raven, VA 24639           | 0.01 acres<br>1/9 of 0.06 acres | 0.0113% |

27

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1011

|   | Acres in Unit | Interest in Unit |
|---|---------------|------------------|
| (OR)  |               |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002 | 0.06 acres    | 0.1021%          |
| Acreage in Tract Conflicting<br>Percentage of Tract Conflicting   | 0.0600        | 0.1021%          |

Tract #2B, 0.09 acres

*Escrow Due to Title & CBM Conflict*

COAL OWNERSHIP

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 0.09 acres | 0.1532% |
|--|------------|---------|

OIL & GAS OWNERSHIP

|  |            |         |
|--|------------|---------|
| (1) James Plaster Heirs, Devisees, Successors or Assigns<br>c/o Harvey Plaster<br>RR2 Box 170<br>Honaker, VA 24260 | 0.09 acres | 0.1532% |
|--|------------|---------|

(OR)

|   |            |         |
|---|------------|---------|
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002 | 0.09 acres | 0.1532% |
|---|------------|---------|

Tract #2C, 0.13 acres

*Escrow Due to Title & CBM Conflict*

COAL OWNERSHIP

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 0.13 acres | 0.2213% |
|--|------------|---------|

OIL & GAS OWNERSHIP

|   |  |         |
|---|--|---------|
| (1) E. P. Whited Heirs, Devisees, Successors or Assigns               | 0.13 acres   | 0.2213% |
| (a) Esta Madeline Whited Heirs, Devisees, Successors or Assigns       |  |         |
| (a.1) Shelia D. Whited<br>1563 Massillon Road<br>Akron, OH 44312-4202 | 0.01290 acres<br>25/252 of 0.13 acres                      | 0.0220% |
| (a.2) Linda Whited Burnett<br>14506 CR112<br>Centerville, TX 75833    | 0.01290 acres<br>25/252 of 0.13 acres                      | 0.0220% |
| (b) Easterly Elkins Heirs, Devisees, Successors or Assigns            |  |         |
| (b.1) Arch J. Elkins  | <i>Conveyed interest to Corine W. Dye (DB 420, PG 277)</i> |         |
| (b.1.1) Corine W. Dye<br>343 Swords Creek Rd.<br>Honaker, VA 24649    | 0.02476 acres<br>4/21 of 0.13 acres                        | 0.0422% |
| (c) Leah McNulty Heirs, Devisees, Successors or Assigns               |  |         |
| (c.1) Brenda Joyce Strouth<br>175 Shaker Road<br>Enfield, CT 06082    | 0.00560 acres<br>25/378 of 0.13 acres                      | 0.0146% |

28

Exhibit E  
Unit BC-120  
Docket #VGOB 83-8218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1012

|  | Acres In Unit                          | Interest in Unit |
|--|--|------------------|
| (c.2) Jana Carolyn McCann<br>979 Warrenville Road<br>Mansfield, CT 06250   | 0.00860 acres<br>25/378 of 0.13 acres  | 0.0146%          |
| (c.3) Stevie Frederick McNulty<br>Rt 2 Box 229<br>Honaker, VA 24649        | 0.00860 acres<br>25/378 of 0.13 acres  | 0.0146%          |
| (d) Mary Steele Heirs, Devisees,<br>Successors or Assigns                  |  |                  |
| (d.1) Melba S. Stephens<br>PO Box 48<br>Vansant, VA 24656                  | 0.00645 acres<br>25/504 of 0.13 acres  | 0.0110%          |
| (d.2) Vivian Dawson<br>3680 Mears Drive<br>Brunswick, OH 44212             | 0.00645 acres<br>25/504 of 0.13 acres  | 0.0110%          |
| (d.3) Loretta Jones<br>8546 Swords Creek Rd.<br>Swords Creek, VA 24649     | 0.00645 acres<br>25/504 of 0.13 acres  | 0.0110%          |
| (d.4) Julius Steele Heirs, Devisees,<br>Successors or Assigns              |  |                  |
| (d.4.1) Lolita Lockhart<br>2459 Lynn Springs Rd.<br>Swords Creek, VA 24649 | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (d.4.2) Rita Powell<br>2671 Lynn Springs Rd.<br>Swords Creek, VA 24649     | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (d.4.3) Angela Roberts<br>361 Pond St.<br>Pounding Mill, VA 24637          | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (e) James C. Whited Heirs, Devisees,<br>Successors or Assigns              |  |                  |
| (e.1) Pearl Whited Heirs, Devisees,<br>Successors or Assigns               |  |                  |
| (e.1.1) Dorothy J. Keene<br>2774 Wardell Rd.<br>Pounding Mill, VA 24637    | 0.00287 acres<br>25/1134 of 0.13 acres | 0.0049%          |
| (e.1.2) Linda Lowman<br>206 Austin St.<br>N. Tazewell, VA 24630            | 0.00143 acres<br>25/2268 of 0.13 acres | 0.0024%          |
| (e.1.3) David Whittaker<br>1100 Flat Lick Rd.<br>London, KY 40744          | 0.00143 acres<br>25/2268 of 0.13 acres | 0.0024%          |
| (e.1.4) Joetta Wahlen<br>402 Point Dr.<br>Pounding Mill, VA 24637          | 0.00143 acres<br>25/2268 of 0.13 acres | 0.0024%          |
| (e.1.5) Charlene Altizer<br>901 Emaron St.<br>N. Myrtle Beach, SC 29591    | 0.00143 acres<br>25/2268 of 0.13 acres | 0.0024%          |
| (e.2) Betty W. Cole<br>1100 N. Ironwood Place<br>Broken Arrow, OK 74012    | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (e.3) Anita W. Ray<br>1903 Lynn Springs Rd.<br>Swords Creek, VA 24649      | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (e.4) James P. Whited<br>2830 Sprague Street<br>Winston Salem, NC 27107    | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |

29

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1013

|  | Acres in Unit                          | Interest in Unit |
|--|--|------------------|
| (e.5) Judy W. Miller<br>1254 Lynn Springs Rd.<br>Swords Creek, VA 24649  | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (e.6) L. Karen Webb<br>825 Big Creek Road<br>Richlands, VA 24641   | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (e.7) Donna Piester<br>106 Shannon Heights<br>Richlands, VA 24641  | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (e.8) David A. Whited<br>Box 215<br>Richlands, VA 24641  | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (e.9) Randall G. Whited Heirs, Devisees,<br>Successors or Assigns  |  |                  |
| (e.9.1) Lilly Keen Whited<br>513 E. 15th St.<br>Lumberton, NC 28358  | 0.00215 acres<br>25/1512 of 0.13 acres | 0.0037%          |
| (f) J.B. Whited Heirs, Devisees, Successors or Assigns<br>c/o Geneva Chervenik<br>2942 Silver Lake Village<br>Stow, OH 44224 | 0.00103 acres<br>1/126 of 0.13 acres   | 0.0018%          |
| (g) Margaret Sigmon Heirs, Devisees,<br>Successors or Assigns  |  |                  |
| (g.1) Janis K. Ray<br>1097 River Drive<br>Mansfield, OH 44906  | 0.00013 acres<br>1/1008 of 0.13 acres  | 0.0002%          |
| (g.2) Leslie G. Sigmon<br>121 Hazel St. NE<br>Hartsville, OH 44632-8781  | 0.00013 acres<br>1/1008 of 0.13 acres  | 0.0002%          |
| (g.3) Larry G. Sigmon<br>1329 Pipers Pointe Lane B-103<br>Myrtle Beach, SC 29577   | 0.00013 acres<br>1/1008 of 0.13 acres  | 0.0002%          |
| (g.4) Rebecca L. Wilson<br>3757 Switzer St. NW<br>Uniontown, OK 44685  | 0.00013 acres<br>1/1008 of 0.13 acres  | 0.0002%          |
| (g.5) Lora L. Messer<br>1227 Cairn Rd.<br>Mansfield, OH 44903  | 0.00013 acres<br>1/1008 of 0.13 acres  | 0.0002%          |
| (g.6) Carol A. Musick-Dye<br>1750 Lynn Springs Rd.<br>Swords Creek, VA 24649   | 0.00013 acres<br>1/1008 of 0.13 acres  | 0.0002%          |
| (g.7) Sharon L. Hubbard<br>P.O. Box 164<br>Swords Creek, VA 24649  | 0.00013 acres<br>1/1008 of 0.13 acres  | 0.0002%          |
| (g.8) Ricky D. Sigmon<br>809 Fayette Street<br>Princeton, WV 24740   | 0.00013 acres<br>1/1008 of 0.13 acres  | 0.0002%          |
| (OR)   |  |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002                    | 0.13 acres                             | 0.2213%          |
| Acres in Tract Conflicting<br>Percentage of Tract Conflicting  | 0.1300                                 | 0.2213%          |

30

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1014

|  | Acres in Unit                   | Interest in Unit |
|--|---------------------------------|------------------|
| <b><u>Tract #2D, 0.17 acres</u></b>  |                                 |                  |
| <i>Escrow Due to Title &amp; CBM Conflict</i>  |                                 |                  |
| <b><u>COAL OWNERSHIP</u></b>   |                                 |                  |
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651   | 0.17 acres                      | 0.2894%          |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>  |                                 |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002  | 0.17 acres                      | 0.2894%          |
| <b><u>Tract #2E, 0.32 acres</u></b>  |                                 |                  |
| <i>Escrow Due to Title &amp; CBM Conflict</i>  |                                 |                  |
| <b><u>COAL OWNERSHIP</u></b>   |                                 |                  |
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651   | 0.32 acres                      | 0.5448%          |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>  |                                 |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002  | 0.32 acres                      | 0.5448%          |
| <b><u>Tract #2F, 0.19 acres</u></b>  |                                 |                  |
| <i>Escrow Due to Title &amp; CBM Conflict</i>  |                                 |                  |
| <b><u>COAL OWNERSHIP</u></b>   |                                 |                  |
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651   | 0.19 acres                      | 0.3235%          |
| <b><u>OIL &amp; GAS OWNERSHIP</u></b>  |                                 |                  |
| (1) Julius Steele Heirs, Devisees,<br>Successors, or Assigns   | 0.19 acres                      | 0.3235%          |
| (a) Lolita Lockhart *<br>2459 Lynn Springs Road<br>Swords Creek, VA 24649  | 0.06 acres<br>1/3 of 0.19 acres | 0.1078%          |
| (b) Rita Powell *<br>2671 Lynn Springs Road<br>Swords Creek, VA 24649  | 0.06 acres<br>1/3 of 0.19 acres | 0.1078%          |
| (c) Angela Roberts *<br>361 Pond Street<br>Pounding Mill, VA 24637   | 0.06 acres<br>1/3 of 0.19 acres | 0.1078%          |
| * 1/2 of all royalties was reserved by Virginia Steele attributable to this tract<br>Virginia Steele<br>1251 Lynn Springs Road<br>Swords Creek, VA 24649 |                                 |                  |
| (OR)   |                                 |                  |
| (1) Commonwealth of Virginia<br>Department of Transportation<br>870 Bonham Road<br>Bristol, VA 24201-2002  | 0.19 acres                      | 0.3235%          |
| Acres in Tract Conflicting   | 0.1900                          |                  |
| Percentage of Tract Conflicting  |                                 | 0.3235%          |

31

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1015

|  | Acres in Unit | Interest in Unit |
|--|---------------|------------------|
|--|---------------|------------------|

Tract #2G, 0.17 acres

*Escrow Due to Title & CBM Conflict*

COAL OWNERSHIP

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 0.17 acres | 0.2894% |
|--|------------|---------|

OIL & GAS OWNERSHIP

|   |            |         |
|---|------------|---------|
| (1) Charlie Powell, et ux<br>2671 Lynn Springs Rd<br>Swords Creek, VA 24649 | 0.17 acres | 0.2894% |
|---|------------|---------|

(OR)

|   |            |         |
|---|------------|---------|
| (1) Commonwealth of Virginia<br>Department of Transportation<br>570 Bonham Road<br>Bristol, VA 24201-2002 | 0.17 acres | 0.2894% |
|---|------------|---------|

Tract #2H, 0.03 acres

*Escrow Due to Title & CBM Conflict*

COAL OWNERSHIP

|  |            |         |
|--|------------|---------|
| (1) Swords Creek Land Partnership, Tr.13<br>(574.58 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 0.03 acres | 0.0511% |
|--|------------|---------|

OIL & GAS OWNERSHIP

|   |            |         |
|---|------------|---------|
| (1) Charlie Powell, et ux<br>2671 Lynn Springs Rd<br>Swords Creek, VA 24649 | 0.03 acres | 0.0511% |
|---|------------|---------|

(OR)

|   |            |         |
|---|------------|---------|
| (1) Commonwealth of Virginia<br>Department of Transportation<br>570 Bonham Road<br>Bristol, VA 24201-2002 | 0.03 acres | 0.0511% |
|---|------------|---------|

Tract #3, 2.93 acres

*Escrow Due to Title & CBM Conflict*

COAL OWNERSHIP

|   |            |         |
|---|------------|---------|
| (1) Swords Creek Land Partnership, Tr.57<br>(68.80 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651 | 2.93 acres | 4.9881% |
|---|------------|---------|

(OR)

|                             |                                 |         |
|-----------------------------|---------------------------------|---------|
| (1) A. Wayne Bostic, et al. | 1.47 acres<br>1/2 of 2.93 acres | 2.4940% |
|-----------------------------|---------------------------------|---------|

(a) A. Wayne & Rita C. Bostic

*Conveyed interest by quitclaim deed dated 9/21/1993 (DB 4*

|  |                                 |         |
|--|---------------------------------|---------|
| (a.1) Robin Bostic Jones<br>P.O. Box 220<br>Swords Creek, VA 24649 | 0.24 acres<br>1/6 of 1.47 acres | 0.4157% |
|--|---------------------------------|---------|

|   |                                 |         |
|---|---------------------------------|---------|
| (a.2) Christopher Bostic<br>Address Unknown | 0.24 acres<br>1/6 of 1.47 acres | 0.4157% |
|---|---------------------------------|---------|

|  |                                 |         |
|--|---------------------------------|---------|
| (a.3) Jeffery Bostic<br>P.O. Box 220<br>Swords Creek, VA 24649 | 0.24 acres<br>1/6 of 1.47 acres | 0.4157% |
|--|---------------------------------|---------|

32



Exhibit E  
Unit BC-126  
Docket #VGOB 03-0216-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1016

|  | Acres in Unit  | Interest in Unit |
|--|--|------------------|
| (2) Creola Blake Heirs, devisees, Successors or Assigns<br>Heirs/Addresses Unknown<br><br>(OR) | 1.47 acres<br>1/2 of 2.93 acres                            | 2.4940%          |
| (1) A. Wayne Bostic, et al.  | 1.28 acres<br>7/16 of 2.93 acres                           | 2.1823%          |
| (a) A. Wayne & Rita C. Bostic  | Conveyed interest by quitclaim deed dated 9/21/1993 (DB 4) |                  |
| (a.1) Robin Bostic Jones<br>P.O. Box 220<br>Swords Creek, VA 24649                             | 0.19 acres<br>7/48 of 1.28 acres                           | 0.3183%          |
| (a.2) Christopher Bostic<br>Address Unknown  | 0.19 acres<br>7/48 of 1.28 acres                           | 0.3183%          |
| (a.3) Jeffery Bostic<br>P.O. Box 220<br>Swords Creek, VA 24649                                 | 0.19 acres<br>7/48 of 1.28 acres                           | 0.3183%          |
| (2) Creola Blake Heirs, devisees, Successors or Assigns<br>Heirs/Addresses Unknown             | 1.28 acres<br>7/16 of 2.93 acres                           | 2.1823%          |
| (3) Swords Creek Land Partnership, Tr.57<br>P.O. Box 29<br>Tazewell, VA 24651                  | 0.37 acres<br>1/8 of 2.93 acres                            | 0.6235%          |

OIL & GAS OWNERSHIP

|   |  |         |
|---|--|---------|
| (1) Swords Creek Land Partnership, Tr.57<br>(66.80 Acre Tract)<br>P.O. Box 29<br>Tazewell, VA 24651<br><br>(OR) | 2.93 acres   | 4.9881% |
| (1) A. Wayne Bostic, et al.   | 1.47 acres<br>1/2 of 2.93 acres                            | 2.4940% |
| (a) A. Wayne & Rita C. Bostic   | Conveyed interest by quitclaim deed dated 9/21/1993 (DB 4) |         |
| (a.1) Robin Bostic Jones<br>P.O. Box 220<br>Swords Creek, VA 24649  | 0.24 acres<br>1/6 of 1.47 acres                            | 0.4157% |
| (a.2) Christopher Bostic<br>Address Unknown   | 0.24 acres<br>1/6 of 1.47 acres                            | 0.4157% |
| (a.3) Jeffery Bostic<br>P.O. Box 220<br>Swords Creek, VA 24649  | 0.24 acres<br>1/6 of 1.47 acres                            | 0.4157% |
| (2) Creola Blake Heirs, devisees, Successors or Assigns<br>Heirs/Addresses Unknown<br><br>(OR)                  | 1.47 acres<br>1/2 of 2.93 acres                            | 2.4940% |
| (1) A. Wayne Bostic, et al.   | 1.28 acres<br>7/16 of 2.93 acres                           | 2.1823% |
| (a) A. Wayne & Rita C. Bostic   | Conveyed interest by quitclaim deed dated 9/21/1993 (DB 4) |         |
| (a.1) Robin Bostic Jones<br>P.O. Box 220<br>Swords Creek, VA 24649  | 0.19 acres<br>7/48 of 1.28 acres                           | 0.3183% |
| (a.2) Christopher Bostic<br>Address Unknown   | 0.19 acres<br>7/48 of 1.28 acres                           | 0.3183% |
| (a.3) Jeffery Bostic<br>P.O. Box 220<br>Swords Creek, VA 24649  | 0.19 acres<br>7/48 of 1.28 acres                           | 0.3183% |

Exhibit E  
Unit BC-120  
Docket #VGOB 03-0218-1115-01  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BOOK 0770 PAGE 1017

|  | Acres in Unit                    | Interest in Unit |
|--|----------------------------------|------------------|
| (2) Crecia Blake Heirs, Devisees,<br>Successors or Assigns<br><i>Heirs/Addresses Unknown</i> | 1.28 acres<br>7/16 of 2.93 acres | 2.1823%          |
| (3) Swords Creek Land Partnership, Tr.57<br>P.O. Box 29<br>Tazewell, VA 24651                | 0.37 acres<br>1/8 of 2.93 acres  | 0.6235%          |
| Acreage in Tract Conflicting   | 2.9300                           |                  |
| Percentage of Tract Conflicting  |                                  | 4.9881%          |
| <u>TOTAL CONFLICTS:</u>  |                                  |                  |
| Acreage in Unit Conflicting  | 45.1200                          |                  |
| Percentage of Unit Conflicting   |                                  | 76.8131%         |

1302802

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 12-17, 2013. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 4:00 o'clock P M, after payment of \$ \_\_\_\_\_ tax imposed by Sec. 58.1-802.

Original returned this date to: Sara Gilmer

TESTE: ANN S. McREYNOLDS, CLERK  
BY: Jennifer Kindlich CLERK